

County of Loudoun
Department of Planning
MEMORANDUM

DATE: July 8, 2009

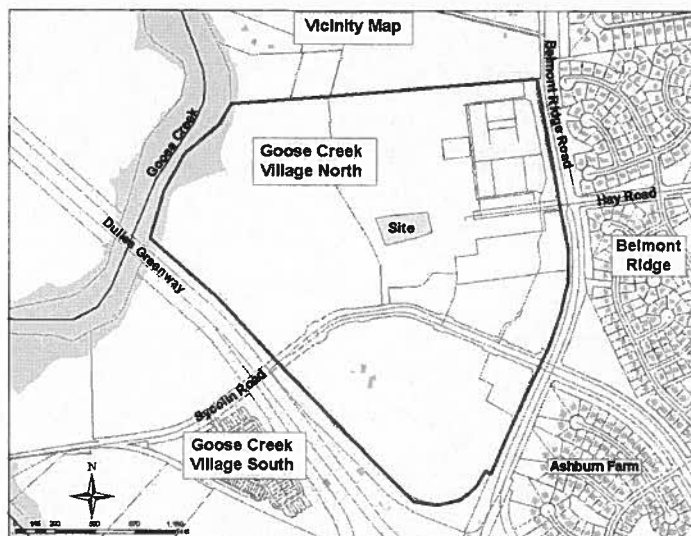
TO: Sophia Fisher, Project Manager
Land Use Review

FROM: Kelly Williams, Planner
Community Planning

SUBJECT: SPEX 2009-0018, Goose Creek Village North Clubhouse

BACKGROUND

Centex Homes, is requesting a special exception (SPEX) to permit a community clubhouse a .37 acre tract of land within the Goose Creek Village North development (ZMAP 2003-0008). Goose Creek Village North was approved July 2005 for a mixed use business development with residential, office, and retail uses. The subject property is located within the portion of the Goose Creek Village North rezoning approved for residential uses, specifically in an area designated for civic/open space/recreation uses, west of Belmont Ridge Road (Route 659) and north of Sycolin Road and the Dulles Greenway (Route 267). Residential development is located east of the subject property (Ashburn Farm and Belmont Ridge) and the Goose Creek Reservoir is located to the west (See Vicinity Map). The property is zoned R-16 (Residential) and is governed under the provisions of the Revised 1993 Zoning Ordinance.



COMPLIANCE WITH THE COMPREHENSIVE PLAN

The property is located in the Ashburn Community of the Suburban Policy Area and is specifically governed by the Revised General Plan and Revised Countywide Transportation Plan (CTP) as adopted July 23, 2001, as well as the Toll Road Plan (TRP). The Revised General Plan identifies the subject site as suitable for Business uses (Revised General Plan, Chapter 7, Planned Land Use Map). The policies of the Loudoun County Bicycle and Pedestrian Mobility Master Plan (Bike/Ped Plan) also apply.

ANALYSIS

A. LAND USE

The Revised General Plan calls for Business areas to develop as either Regional Office or Light Industrial communities. Business Communities are intended to develop with a mix of uses where individuals can live, work, and play (Revised General Plan, Text, p. 6-20). As stated above, the subject property is located within the Goose Creek Village North mixed-use development. The proposed clubhouse is located within the area approved for residential development, specifically in the area designated for civic/open space/recreation uses. The use will be located in the bathhouse building associated with the outdoor pool and recreation area which currently has site plan approval.

Public and civic spaces play an important role in residential neighborhoods by providing a place for residents to meet and hold events and contributing to the community's identity and aesthetics. Plan policies calls for residential neighborhoods to provide public and civic space at a minimum of 10% of the gross acreage of the property (Revised General Plan, Chapter 6, Land Use Pattern and Design Policies, Policy 8 and Residential Neighborhood Policies, Policy 2). Such uses should be prominent landmarks within the neighborhood to help foster a community identity (Revised General Plan, Chapter 6, Residential Neighborhood Policies, Policy 4). Civic uses, as defined in the Revised General Plan, are "public or quasi-public institutional uses... and typically include small churches, fire and rescue facilities, schools, day care centers, group homes, community centers, post offices, and community club houses" (Revised General Plan, Glossary).

The proposed clubhouse is an appropriate use on the subject property as it provides a civic amenity to the residential portion of the Goose Creek Village North Development.

RECOMMENDATIONS

The proposed clubhouse use is consistent with the land use policies of the Revised General Plan. Staff recommends approval of the Special Exception application.

cc: Julie Pastor, AICP, Director, Planning
Cynthia Keegan, AICP, Program Manager, Community Planning via e-mail

A-2

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: August 17, 2009

TO: Sophia Fisher, Project Manager

FROM: Brian Fish, Planner

CASE NUMBER & NAME: SPEX-2009-0018, Goose Creek Village North Clubhouse

I. APPLICATION SUMMARY

Applicant: Centex Homes

Proposal: A Special Exception to permit a community center pursuant to Section 3-604(C)

II. PROPERTY SUMMARY

Parcel Number (MCPI): 153-28-1483

Property Size (Legal Acreage): 1.5 Acres

Base Zoning: R-16 (Townhouse / Multi-Family Residential) (ZO Section 3-600)

Zoning Overlay Districts: N/A

III. MATERIALS REVIEWED BY ZONING ADMINISTRATION:

The Zoning Administration comments provided in this referral are based on a review of the following documents submitted with the application:

- (1) Information Sheet;
- (2) Submission Packet including Statement of Justification dated June 4, 2009;
- (3) Traffic Memorandum dated March 11, 2009; and
- (4) Special Exception Plat dated April 3, 2009 (2 Sheets)

IV. COMMENTS

Zoning Administration has the following comments regarding conformance with the Revised 1993 Loudoun County Zoning Ordinance ("the Ordinance"):

A. Special Exception Factors for Consideration: As required by Section 6-1310, the Applicant, in their Statement of Justification, has responded to various factors for consideration in the review of a special exception request. Zoning staff defers comment regarding the Applicant's response to certain factors to other referral agencies that have the necessary, specific expertise.

B. Additional Comments:

1. SBRD-2008-0059 was approved on July 22, 2009. The parcel on which the community center is proposed to be located has been recorded as MCPI #153-28-1483 / Tax map number /78//90/////J/. Please revise the Special Exception plat to reflect this.
2. The Special Exception plat needs to be revised to include the complete application number, SPEX-2009-0018.

DEPARTMENT OF BUILDING AND DEVELOPMENT

COUNTY OF LOUDOUN

MEMORANDUM

DATE: July 6, 2009

TO: Brian Fish, Zoning Planner

FROM: Todd Taylor, Environmental Review Team

THROUGH: Gary Clare, Chief Engineer
William Marsh, Environmental Review Team Leader

CC: Sophia Fisher, Project Manager, Department of Planning
Kelly Williams, Community Planner, Department of Planning

SUBJECT: SPEX-2009-0018
Goose Creek Village North Clubhouse

The Environmental Review Team (ERT) has reviewed the subject application and offers the following comments.

Issues related to the Revised General Plan (RGP):

1. The RGP supports a built design with this application that helps to sustain the natural environment. Accordingly, the County endorses design measures that conserve energy and water consumption, and improves air quality. RGP policies supporting these design measures include policy one, page 2-20; policy two, page 2-23; and policy one, page 5-41.

Several design approaches are available to achieve these goals, including Leadership in Energy and Environmental Design (LEED) as administered by the United States Green Building Council; and Energy Star and Water Sense programs administered by the Environmental Protection Agency. Staff supports incorporation of these design approaches and is available to discuss design options with the applicant.

Please contact me if you need additional information or have questions.

ATTACHMENT 1 C

A-5

County of Loudoun
Office of Transportation Services
MEMORANDUM

DATE: July 21, 2009

TO: Sophia Fisher, Project Planner, Department of Planning

FROM: George Phillips, Senior Transportation Planner

GP

SUBJECT: SPEX 2009-0018 Goose Creek North Clubhouse

Location: Northwest quadrant of the Route 659/Route 643 intersection north of the Dulles Greenway (Attachment 1)

Background

The applicant is seeking approval of a Special Exception to allow a community center pursuant to Section 4-204 (B) (2) in an R-16 zoning district. The applicant has submitted traffic information, dated March 11, 2009, from Gorove/Slade Associates, Inc., a concept plan, dated April 3, 2009, by J 2 Engineers, Inc. and a statement of justification, dated June 4, 2009.

Existing & Proposed Road Network

The proposed clubhouse site is within the approved Goose Creek Village development which fronts Route 659 between Sycolin Road (Route 643) and Hay Road (Route 642) north of the Dulles Greenway. It is part of a larger approved residential development which surrounds the site. The clubhouse will have access by the planned future extension of Hay Road west of Route 659 as well as planned construction of surrounding private streets including Sibbald Terrace, Erskine Terrace and Pilate Terrace (Attachment 2). It will also be within walkable distance on sidewalks and trails from the planned adjacent residential units. The clubhouse will only be available for use by the residents of the approved 700 homes.

Route 643 (Sycolin Road)- Based on a recent field visit, the segment of Route 643 between Ashburn Farm Parkway and the Goose Creek Bridge is a paved two-lane rural road approximately 21-22 feet wide. Eastbound Route 643 includes a separate left-turn lane onto northbound Route 659. This portion of Route 643 was paved in conjunction with the construction of the Dulles Greenway and includes a two-lane bridge span across the Dulles Greenway. Based on the latest available (2007) VDOT traffic data, the portion of Route 643 adjacent to the site area carries 2,500 average daily vehicle trips. Route 643 is an important east-west major collector road which connects Leesburg with Ashburn and points east. The Countywide Transportation Plan (CTP) calls for Route 643 to be a four-lane median divided urban collector with a 90-foot wide right-of-way, a 40 mph design speed and desirable median crossover spacing of 700 feet . Left- and right-turn lanes are required at all at-grade intersections. Bicycle accommodations must be considered in design and may require additional right-of-way. There is a VDOT project to pave the unpaved portions of Route 643 between Goose Creek and Leesburg to a two-lane road. It is under construction and anticipated to be completed by December of this year.

Route 659(Belmont Ridge Road)- In the vicinity of Route 643, Route 659 is a paved two-lane shoulder & ditch road with separate right- and left-turns onto Route 643. This segment carries 15,000 daily trips based on the latest (year 2007) traffic count data from VDOT. Route 659 is an important north-south road in Loudoun County intersecting with Route 7, the Dulles Greenway and Route 50. The CTP calls for this portion of Route 659 to be a six-lane divided minor arterial within 120 feet of right of way and to include right- and left-turn lanes at all major intersections, a 60 mph design speed, and desirable median crossover spacing of 1,000 feet. Bicycle accommodations are also to be considered in the design and may require additional right-of-way. There is a VDOT project in the current Secondary Road Improvement Plan to improve the existing two-lane section of Route 659 between Route 7 and the Dulles Greenway. However, funding has been removed due to revised revenue projections. There are various private sector proffers for the improvement of Route 659 south of the Dulles Greenway, including the Route 659 Trust Fund from the Broadlands Project. Broadlands will widen Route 659 to 4 lanes between the Dulles Greenway and Broadlands Boulevard next year. A "Road Club" approach is being considered to continue this improvement south to Truro Parish Drive.

However, the time frame for completion of the Road Club, which was approved with several participants, is uncertain due to the recent downturn of the residential housing market.

Trip Generation Information

Based on the applicant's traffic information, the proposed clubhouse will not generate any external traffic because it is for the exclusive use by residents only.

Transportation Comments

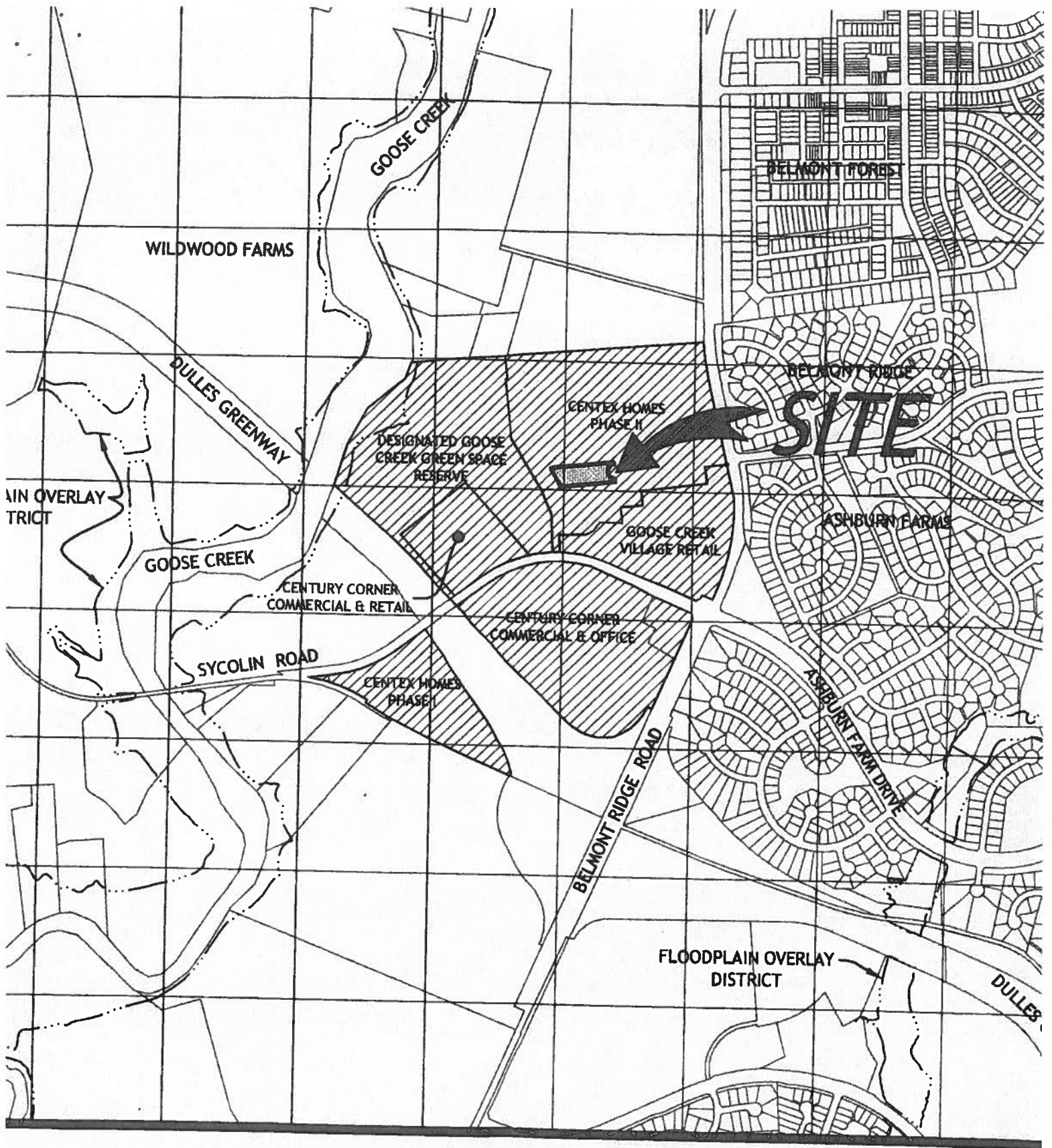
1. The proposed use will not generate any external traffic. The approved internal street network has already been designed to accommodate the anticipated traffic for the planned residential units. Therefore, no road improvements are recommended with this application.
2. The applicant proposes to provide a total of 44 parking spaces plus one loading space for this use. Does this meet Loudoun County Zoning Ordinance parking requirements? Please clarify. OTS defers to the Department of Building & Development staff for the determination of parking requirements.
3. Is the clubhouse designed to accommodate access by an emergency vehicle? For example, would an ambulance be able to access the pool in the event of an emergency? Please clarify.

Recommendation

Provided the applicant adequately clarifies the above information request, the Office of Transportation Services would not object to the approval of this application.

GRP/Goose Creek Village North Clubhouse SPEX 2009-0018/D drive/C Drive files.

A-8

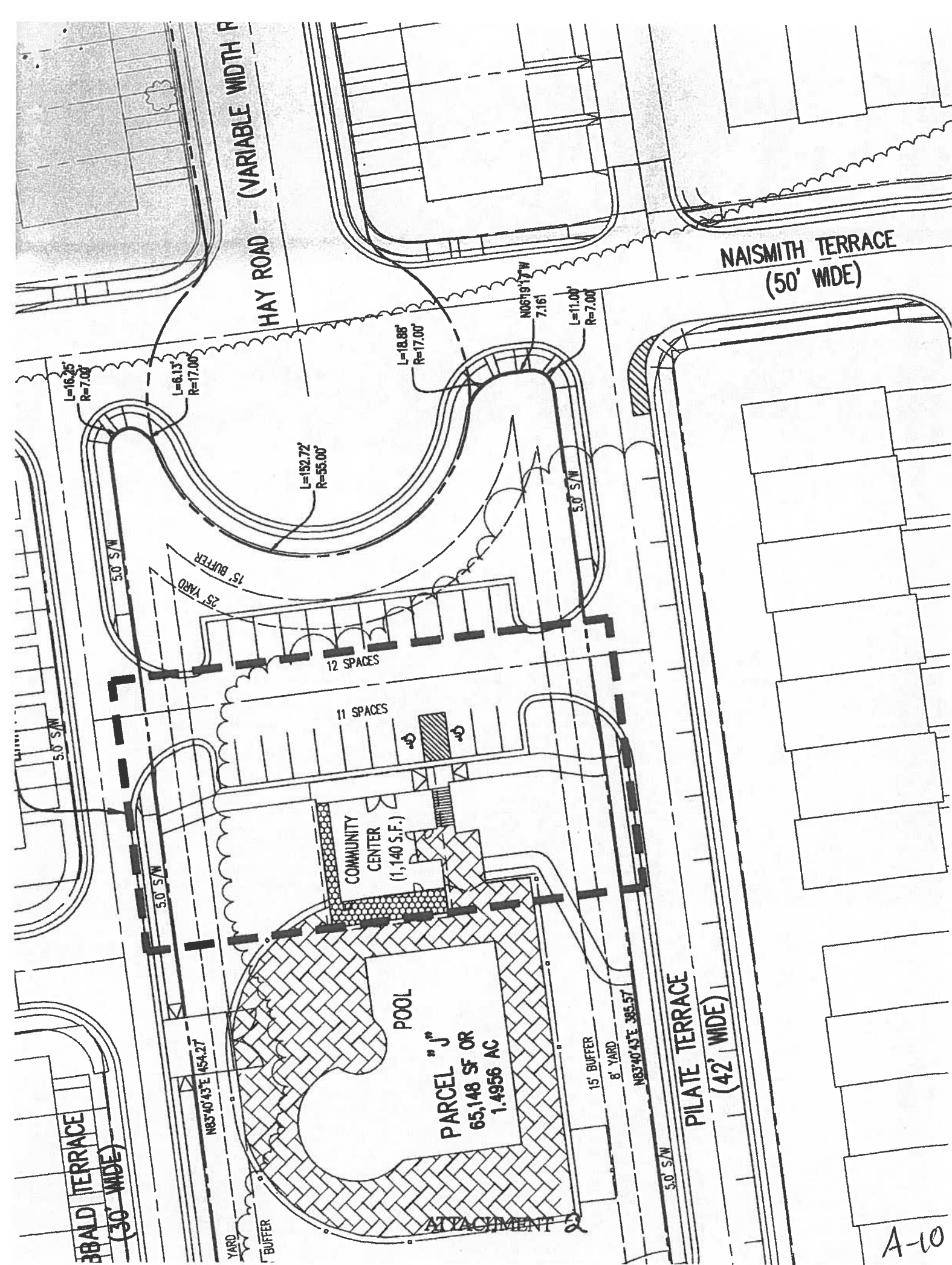


VICINITY MAP

SCALE : 1"=1000'

LEGEN







COMMONWEALTH of VIRGINIA

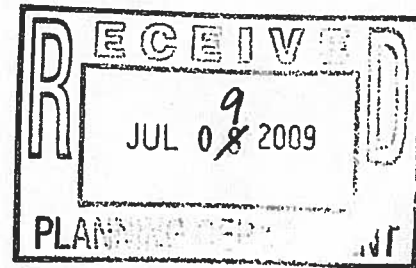
DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

July 6, 2009

Ms. Sophia Fisher, Project Manager
County of Loudoun
Department of Planning MSC#62
1 Harrison Street, S.E.
P.O. Box 7000
Leesburg, Virginia 20177-7000



Re: Goose Creek Village North Clubhouse
Loudoun County Application Number: SPEX 2009-0018

Dear Ms. Fisher:

We have reviewed the above application as requested and have no objection to the approval.

If you have any questions, please call me at (703) 383-2046.

Sincerely,

Rashid Siraj, P.E.
Transportation Engineer

(App.07-06-09)

ATTACHMENT 1e

VirginiaDot.org
WE KEEP VIRGINIA MOVING

A-11

PO Box 4000 | 44865 LOUDOUN WATER WAY | ASHBURN, VA 20146
TEL 571.291.7700 | FAX 571.223.2910

June 26, 2009

Ms. Sophia Fisher
Department of Planning
1 Harrison Street, S.E.
P. O. Box 7000
Leesburg, Virginia 20177-7000

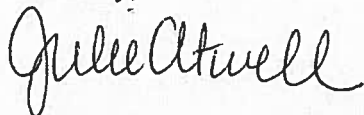
Re: **SPEX-2009-0018, Goose Creek Village North Clubhouse**

Dear Ms. Fisher:

Loudoun Water has reviewed the referenced Special Exception application and offers no objection to the proposed use. Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards; and with all requirements of the County of Loudoun. Detailed comments on the design of the public water and sanitary sewer facilities to serve this project will be addressed during Loudoun Water's review of the applicant's Utility Extension Request.

Should you have any questions, please do not hesitate to contact me.

Sincerely,



Julie Atwell
Engineering Administrative Specialist

ATTACHMENT 1f

A.12

12 June 2009

MEMORANDUM TO: Sophia Fischer, Project Manager
Department of Planning, **MSC 62**

FROM: Matthew D. Tolley
Sr. Env. Health Specialist
Division of Environmental Health, **MSC 68**

SUBJECT: **SPEX 2009-0018; Goose Creek Village North
Clubhouse
LCTM: 78((86)) C (PIN 153-28-3815)**

The Health Department recommends approval of this application. The proposed development will utilize public water and sewer. There are no known well or septic facilities on the site. The plat reviewed was prepared by J2 Engineers and was dated 30 April 2009.

Attachments Yes ____ No X

If further information or clarification on the above project is required, please contact Matt Tolley at 771-5248.

MDT/JEL/mt
c:subdvgd.ref

ATTACHMENT 1g

A-13



LOUDOUN COUNTY, VIRGINIA
Department of Fire, Rescue and Emergency Management

803 Sycolin Road, Suite 104 Leesburg, VA 20175
Phone 703-777-0333 Fax 703-771-5359



Memorandum

To: Sophia Fisher, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: July 7, 2009
Subject: Goose Creek Village North Clubhouse
SPEX 2009-0018

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Planning Staff, in agreement with the Fire Marshal's Office, has no objection to the application as presented.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Ashburn VFRC Station 6 Travel Time
153-28-3815	Goose Creek Village North Clubhouse	3 minutes, 28 seconds

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

Project name	Ashburn VFRC Station 6 Response Times
Goose Creek Village North Clubhouse	5 minutes, 28 seconds

If you have any questions or need additional information, please contact me at 703-777-0333.

c: Project file

ATTACHMENT 1h

Teamwork * Integrity * Professionalism * Service

A-14

I, Stephen S. Collins, Jr., Agent, do hereby state that I am an

Applicant

☒ Applicant's Authorized Agent listed in Section C.1. below

RECEIVED
MAY 5 2009

BUILDING AND DEVELOPMENT

in Application Number(s): SPEX

and that to the best of my knowledge and belief, the following information is true:

C. DISCLOSURES: REAL PARTIES IN INTEREST AND LAND USE PROCEEDINGS

1. REAL PARTIES IN INTEREST

The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS** and **LESSEES** of the land described in the application* and if any of the forgoing is a **TRUSTEE**** each **BENEFICIARY** of such trust, and all **ATTORNEYS**, and **REAL ESTATE BROKERS**, and all AGENTS of any of the foregoing.

All relationships to the persons or entities listed above in **BOLD** print must be disclosed. Multiple relationships may be listed together (ex. Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc.) For a multiple parcel application, list the Parcel Identification Number (PIN) of the parcel(s) for each owner(s).

PIN	NAME (First, M.I., Last)	ADDRESS (Street, City, State, Zip Code)	RELATIONSHIP (Listed in bold above)
153-28-3815	Centex Homes	Virginia DC Metro Division 3684 Centerview Drive, Ste 100 Chantilly, VA 20151-4301	Owner/Applicant
	J2 Engineers, Inc.	7030 Infantry Ridge Road Manassas, VA 20109	Engineer/Agent
	Walsh, Colucci, Lubeley, Emrich & Walsh, PC	1 East Market Street, 3 rd Floor Leesburg, VA 20176	Attorney/Planner/Agent

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** In the case of a TRUSTEE, list Name of Trustee, name of Trust, if applicable, and name of each beneficiary.

Check if applicable:

☒ There are additional Real Parties in Interest. See Attachment to Paragraph C-1.

LISTING OF INDIVIDUAL AGENTS

- 1. Centex Homes**
Stephen S. Collins, Jr.
- 2. J2 Engineering, Inc.**
Nick Leypoldt
Jeffrey L. Gilliland
- 3. Walsh, Colucci, Lubeley, Emrich & Walsh, PC**
Kimberlee Welsh Cummings
Christine Gleckner
William J. Keefe
J. Randall Minchew
Andrew Painter
Michael G. Romeo

If multiple copies of this page are provided please indicate Page 2 of 2 pages.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Centex Real Estate Corporation, 2728 North Harwood Street, Dallas, TX 75201-1516

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Centex International II, LLC	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Nomas Corporation, 2728 North Harwood Street, Dallas, TX 75219-1516

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Centex International II, LLC	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Centex International II, LLC, 2728 N. Harwood, Dallas, TX 75201-1516

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Centex Corporation	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Centex Corporation, 2728 N. Harwood, Dallas, TX 75201-1516

Description of Corporation:

☐ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☒ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Publicly traded on NYSE	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☒ There is additional Corporation Information. See Attachment to Paragraph C-2.

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, **and if such corporation is an owner of the subject land**, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

J2 Engineers, Inc., 7030 Infantry Ridge Road, Manassas, VA 20109

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
Jeffrey L. Gilliland	Safiye Bishoff
James C. Bishoff	

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)
Jeffrey L. Gilliland	President
James C. Bishoff	Vice-President
Safiye Bishoff	Secretary/Treasurer

Check if applicable:

☒ *There is additional Corporation Information. See Attachment to Paragraph C-2.*

2. CORPORATION INFORMATION (see also Instructions, Paragraph B.3 above)

The following constitutes a listing of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 100 or fewer shareholders, a listing of all of the shareholders, and if such corporation is an owner of the subject land, all **OFFICERS** and **DIRECTORS** of such corporation. (Include sole proprietorships, limited liability companies and real estate investment trusts).

Name and Address of Corporation: (complete name, street address, city, state, zip code)

Walsh, Colucci, Lubeley, Emrich & Walsh, P.C.
1 E. Market Street, 3rd Floor, Leesburg, VA 20176

Description of Corporation:

☒ *There are 100 or fewer shareholders and all shareholders are listed below.*

☐ *There are more than 100 shareholders, and all shareholders owning 10% or more of any class of stock issued by said corporation are listed below.*

☐ *There are more than 100 shareholders but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.*

☐ *There are more than 500 shareholders and stock is traded on a national or local stock exchange.*

Names of Shareholders:

SHAREHOLDER NAME (First, M.I., Last)	SHAREHOLDER NAME (First, M.I., Last)
David J. Bomgardner	E. Andrew Burcher
Thomas J. Colucci	Peter M. Dolan, Jr.
Jay du Von	Jerry K. Emrich
William A. Fogarty	John H. Foote
H. Mark Goetzman	Bryan H. Guidash
Michael D. Lubeley	J. Randall Minchew
M. Catharine Puskar	John E. Rinaldi
Lynne J. Strobel	Garth M. Wainman
Nan E. Walsh	Martin D. Walsh

Names of Officers and Directors:

NAME (First, M.I., Last)	Title (e.g. President, Treasurer)

Check if applicable:

☐ There is additional Corporation Information. See Attachment to Paragraph C-2.

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

Centex Homes, 3684 Centerview Drive, Ste 100, Chantilly, VA 20151-4301

☒ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

NAME (First, M.I., Last)	Title (e.g. General Partner, Limited Partner, etc)
Centex Real Estate Corporation	Managing Partner
Centex Real Estate Holding, L.P.	General Partner
Nomas Corporation	General Partner

Check if applicable:

☒ Additional Partnership information attached. See Attachment to Paragraph C-3.

3. PARTNERSHIP INFORMATION

The following constitutes a listing of all of the **PARTNERS**, both **GENERAL** and **LIMITED**, in any partnership disclosed in the affidavit.

Partnership name and address: (complete name, street address, city, state, zip)

Centex Real Estate Holding, L.P., 2728 North Harwood Street, Dallas, TX 75201-1516

☒ (check if applicable) The above-listed partnership has no limited partners.

Names and titles of the Partners:

<i>NAME</i> <i>(First, M.I., Last)</i>	<i>Title</i> <i>(e.g. General Partner, Limited Partner, etc)</i>
Centex International II, LLC	Limited Partner
Centex Real Estate Corporation	General Partner

Check if applicable:

☐ Additional Partnership information attached. See Attachment to Paragraph C-3.

4. ADDITIONAL INFORMATION

a. One of the following options **must** be checked:

☐ In addition to the names listed in paragraphs C. 1, 2, and 3 above, the following is a listing of any and all other individuals who own in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

☒ Other than the names listed in C. 1, 2 and 3 above, no individual owns in the aggregate (directly as a shareholder, partner, or beneficiary of a trust) 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE of the land:

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(a).*

b. That no member of the Loudoun County Board of Supervisors, Planning Commission, Board of Zoning Appeals or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land, or as beneficiary of a trust owning such land.

EXCEPT AS FOLLOWS: (If none, so state).

None

Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(b).*

c. That within the twelve-month period prior to the public hearing for this application, no member of the Loudoun County Board of Supervisors, Board of Zoning Appeals, or Planning Commission or any member of his immediate household, either individually, or by way of partnership in which any of them is a partner, employee, agent or attorney, or through a partner of any of them, or through a corporation (as defined in the Instructions at Paragraph B.3) in which any of them is an officer, director, employee, agent or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has or has had any business or financial relationship (other than any ordinary customer or depositor relationship with a retail establishment, public utility, or bank), including receipt of any gift or donation having a value of \$100 or more, singularly or in the aggregate, with or from any of those persons or entities listed above.

EXCEPT AS FOLLOWS: (If none, so state).

None

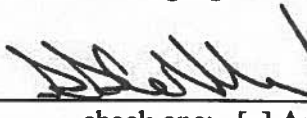
Check if applicable:

☐ Additional information attached. *See Attachment to Paragraph C-4(c).*

D. COMPLETENESS

That the information contained in this affidavit is complete, that all partnerships, corporations (as defined in Instructions, Paragraph B.3), and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, OR LESSEE of the land have been listed and broken down, and that prior to each hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including any gifts or business or financial relationships of the type described in Section C above, that arise or occur on or after the date of this Application.

WITNESS the following signature:

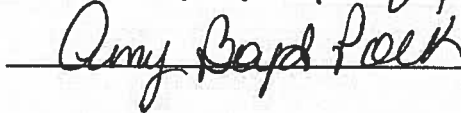


check one: ☐ Applicant or ☒ Applicant's Authorized Agent

Stephen S. Collins, Jr., Agent

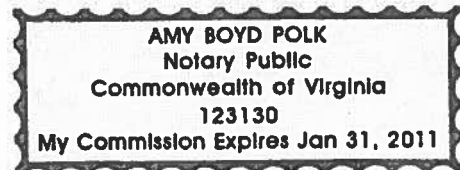
(Type or print first name, middle initial and last name and title of signee)

Subscribed and sworn before me this 28th day of April, 2009, in the State/Commonwealth of Virginia, in the County/City of Fairfax.



Notary Public

My Commission Expires: January 31, 2011
123130



**Centex Homes/Goose Creek Village North
Special Exception Application for a Clubhouse
Pursuant to Zoning Ordinance Section 3-604 (C)
Statement of Justification
June 4, 2009**

I. Introduction

Centex Homes of Chantilly, Virginia is filing a special exception application for a community clubhouse on a .37 acre tract of land within the residential portion of the Goose Creek Village North community. The .37 acres is a portion of the 43.15 acre parcel (MCPI #153-28-3815) for the Goose Creek Village North residential development. The Goose Creek Village North project is located at the northwest quadrant of Belmont Ridge Road and the Dulles Greenway, and it straddles Sycolin Road between the Dulles Greenway and Belmont Ridge Road. The residential portion of Goose Creek Village North is zoned R-16 and R-24. The proposed clubhouse is zoned R-16. Other portions of Goose Creek Village North are zoned PD-OP, PD-CC-CC and PD-IP, all which are subject to the proffers for ZMAP 2003-0008.

II. Project Proposal

The community green containing the pool, bathhouse, tot lot and recreation area has recently received site plan approval. The proposed clubhouse will be located on the second floor of the bathhouse building shown on the approved site plan (STPL 2007-0052). The special exception application is for a community center use listed under Section 3-604 (C) of the Zoning Ordinance.

III. Goose Creek Village

The Goose Creek Village North rezoning, concept plan and proffers were for a Regional Office mixed use business community, which included portions zoned PD-OP (Planned Development – Office Park) for primarily office development, PD-CC-CC for a retail component, and R-16 and R-24 districts for development of single family attached and multi-family residential communities. A site plan has been filed for the PD-OP zoned portion of the community, and a site plan has been approved for the PD-CC-CC zoned component of the community. The R-16 and R-24 zoned parcels are undergoing subdivision and site plan reviews, respectively, for 281 single-family attached and 310 multi-family residential units.

IV. Conformance with the Comprehensive Plan

The property is located in the Suburban Policy Area and is designated for Business uses in the Revised General Plan. The Business designation permits a mix of uses, including up to 25 percent of the land area to be zoned for residential uses. The R-16 and R-24 zoned portions of the Goose Creek Village North community were zoned pursuant to this policy. The proposed special exception use will be located within one of areas designated for civic/open space/recreation uses on the concept plan and will help to provide the civic use component of the community.

V. Zoning

Section 3-604 (C) of the Zoning Ordinance specifies that a community center use in the R-16 district requires special exception approval, for which the definition includes facilities owned by a homeowners association. The Goose Creek Village North clubhouse will be an HOA-owned facility operated for the benefit of the residents of Goose Creek Village North. Since the proposed use will be locating on the second floor of the bathhouse building, which already has received site plan approval, the site has already been reviewed for zoning requirements. An analysis of the issues for consideration in reviewing proposed special exception use contained in Section 6-1310 of the Zoning Ordinance is included in Section VII, below.

VI. Transportation

The proposed use is located west of Belmont Ridge Road and north of Sycolin Road at the end of Hay Road extended interior to the Goose Creek Village North community. Access to the clubhouse is via the internal road network, all of which are private streets except for Hay Road extended. The community is designed with a complete network of sidewalks and trails. The clubhouse is a centrally located and integral part of the residential community within walkable distance from the residential units.

The Goose Creek Village North rezoning included significant transportation proffers including constructing Belmont Ridge Road as a four-lane divided roadway between the Dulles Greenway to a point north of Hay Road with right and left turn lanes at the Sycolin Road and Hay Road intersections and a \$200,000 cash contribution towards improvements continuing north on Belmont Ridge Road. The proffers also included funding for or upgrades to traffic signals at the Sycolin Road and Hay Road intersections on Belmont Ridge Road. The proffers also include interim improvements to Sycolin Road between the Dulles Greenway and Belmont Ridge Road as well as the ultimate four-lane improvement to Sycolin Road when the bridge over the Greenway is expanded to four lanes.

The traffic statement prepared by Gorove/Slade dated March 11, 2009 states that since the clubhouse will be available for use by only the residents of Goose Creek Village, the clubhouse will generate no traffic external to the project. The traffic study approved by the County during the rezoning application had analyzed the impacts of the proposed development on the surrounding roadway network. That analysis accounted for the clubhouse as a supporting use, and the proffers provided mitigation for the overall rezoning traffic impacts. Therefore, the proposed special exception will have no additional impact on the regional roadway network.

VI. Special Exception Issues for Consideration

Section 6-1310 of the Zoning Ordinance outlines various issues for consideration in the review of a special exception request. The following analysis applies the special exception (Section 6-1310) factors to the proposed uses

(A) Whether the proposed special exception is consistent with the Comprehensive Plan.

The property is located in the Suburban Policy Area and is designated as Business in the Revised General Plan. The Business designation permits up to 25 percent of the land area to be zoned for residential uses. A portion of the Goose Creek Village North project was zoned R-16 and R-24 pursuant to this policy. The proposed special exception use will be located within the R-16 zoned portion of the project. The proposed use contributes to the civic use component of the community as called for in the policies of the Comprehensive Plan.

(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.

The proposed facility will be constructed to meet required fire safety codes. Fire protection and rescue services will be provided by the volunteer companies serving the area.

(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.

The proposed use will be enclosed and will not generate noise. The HOA will control the facility and its use and can set regulations regarding the use of the facility for parties and any other potential noise generating uses of the facility.

(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.

The site will adhere to Section 5-1200 of the Zoning Ordinance with regard to site lighting. No additional lighting is proposed for the clubhouse house beyond what is being constructed as part of the pool site plan.

(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.

The proposed use will be locating in the central community green for the Goose Creek Village North community along with a tot lot and outdoor pool. These features are considered community amenities.

(F) Whether sufficient existing or proposed landscaping screening and buffering on the site and in the neighborhood will adequately screen surrounding uses.

The site plan provides a fifteen foot buffer around the perimeter of the community green parcel. The proposed clubhouse is located in the center of this parcel, well within the setbacks and buffers.

(G) Whether the proposed special exception will result in the preservation of any topographic or physical, natural, scenic, archaeological, or historic feature of significant importance.

There are no features of significant importance where the clubhouse is located, as was determined at the time of the rezoning for Goose Creek Village North.

(H) Whether the proposed special exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.

The site where the clubhouse is located contains no significant animal habitat or vegetation, as was determined at the time of the rezoning for Good Creek Village North.

(I) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

The proposed use will be locating in the central community green for the residential portion of a planned, mixed-use regional office community for which there is a unified concept plan and proffers. The proposed use will provide needed civic and recreation space for the residents of this community in a central location convenient to the residents of the community.

(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.

All residents will be able to access the clubhouse using the internal street and sidewalk network for Goose Creek Village North.

(K) Whether, in the case of existing structures proposed to be converted to uses requiring a special exception, the structures meet all code requirements of Loudoun County.

There are no existing structures on this portion of the property.

(L) Whether the proposed special exception will be served adequately by essential public facilities and services.

The site will be served by public water and public sewer extension. Police and fire and rescue services will be provided by the County and the volunteer fire and rescue companies, respectively.

(M) *The effect of the proposed special exception on groundwater supply.*

Groundwater will not be used to serve the proposed use.

(N) *Whether the proposed use will affect the structural capacity of the soils.*

The proposed use will locate in a building that has received site plan approval during which review the structural capacity of the soils was reviewed.

(O) *Whether the proposed use will negatively impact orderly and safe road development and transportation.*

All residents will be able to access the clubhouse using the internal street and sidewalk network for Goose Creek Village North.

(P) *Whether the proposed special exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

The Goose Creek Village North project will provide desirable employment and enlarge the tax base by encouraging economic development activities. The proposed use is providing an important civic and recreational use for the residents of this mixed-use regional office community.

(Q) *Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

The property is zoned as a mixed-use regional office community in accordance with the Comprehensive Plan, which takes into account the needs of agriculture, industry and businesses with its land use recommendation policies.

(R) *Whether adequate on and off-site infrastructure is available.*

The Goose Creek Village North project is providing the infrastructure necessary to support a mixed-use community. Public water and sewer is being extended to the property.

(S) *Any anticipated odors which may be generated by the uses on site and which may negatively impact adjacent uses.*

No odors will be generated by the proposed use that would impact adjacent uses.

(T) *Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Construction traffic can access the site without impacting existing neighborhoods and school areas.

VII. Conclusion

The proposed clubhouse use will provide a needed civic and recreation service to the residents of the Goose Creek Village North planned, mixed-use regional office community. The proposed use conforms to the Comprehensive Plan and zoning for the property. The proffers for the Goose Creek Village North community have addressed the impacts of the Goose Creek Village North community, and the proposed clubhouse was taken into consideration at the time of the zoning of the mixed use community.



**WALSH COLUCCI
LUBELEY EMRICH
& WALSH PC**

Christine Gleckner, AICP
Land Use Planner
(571) 209-5776
cgleckner@ldn.thelandlawyers.com

August 3, 2009

Via Hand Delivery

Sophia S. Fisher, Planner
Loudoun County Department of Planning
1 Harrison Street, SE, Third Floor
Leesburg, VA 20177-7000

Re: Goose Creek Village North Clubhouse – SPEX 2009-0018
Response to Referral Comments

Dear Ms. Fisher:

This letter addresses and provides you with a written response to the referral agency comments in the above referenced application. For your convenience, each of the staff comments are stated below and the Applicant's responses follow in bold italics.

**LOUDOUN COUNTY DEPARTMENT OF PLANNING – COMMUNITY PLANNING
(KELLY WILLIAMS, 7/8/2009)**

The proposed clubhouse is an appropriate use on the subject property as it provides a civic amenity to the residential portion of the Goose Creek Village North Development.

RECOMMENDATIONS

The proposed clubhouse use is consistent with the land use policies of the Revised General Plan. Staff recommends approval of the Special Exception application.

Applicant Response: The applicant concurs with Community Planning's assessment of the proposed use as being appropriate for the residential portion of Goose Creek Village North.

**LOUDOUN COUNTY DEPARTMENT OF BUILDING & DEVELOPMENT – ZONING
ADMINISTRATION (BRIAN FISH, 7/8/2009)**

A. Special Exception Factors for Consideration: As required by Section 6-1310, the Applicant, in their Statement of Justification, has responded to various factors for consideration in the review of a special exception request. Zoning staff defers comment regarding the Applicant's response to certain factors to other referral agencies that have the necessary, specific expertise.

PHONE 703 737 3633 ■ FAX 703 737 3632 ■ WWW.THELANDLAWYERS.COM
1 E. MARKET STREET, THIRD FLOOR ■ LEESBURG, VA 20176-3014

ARLINGTON OFFICE 703 528 4700 ■ PRINCE WILLIAM OFFICE 703 680 4664

ATTORNEYS AT LAW

A-33

Applicant Response: *Comment noted.*

B. Additional Comments: The parcel on which the community center is proposed to be located has not yet been recorded. Site Plan STPL-2007-0052 received conditional approval on May 8, 2009, with one of the conditions of approval being the approval of Record Subdivision SBRD-2008-0059. SBRD-2008-0059 has not yet been approved (still active as of 7-8-09).

Applicant Response: *The record plat has been approved and recorded. The deed is recorded at instrument number 20090273-0050076, and the plat is recorded at instrument number 20090723-0050077.*

LOUDOUN COUNTY DEPARTMENT OF BUILDING & DEVELOPMENT – ENVIRONMENTAL REVIEW TEAM (TODD TAYLOR, 7/6/2009)

1. The RGP supports a built design with this application that helps to sustain the natural environment. Accordingly, the County endorses design measures that conserve energy and water consumption, and improves air quality. RGP policies supporting these design measures include policy one, page 2-20; policy two, page 2-23; and policy one, page 5-41.

Several design approaches are available to achieve these goals, including Leadership in Energy and Environmental Design (LEED) as administered by the United States Green Building Council; and Energy Star and Water Sense programs administered by the Environmental Protection Agency. Staff supports incorporation of these design approaches and is available to discuss design options with the applicant.

Applicant Response: *The applicant will consider incorporating conservation measures at its own discretion.*

LOUDOUN COUNTY DEPARTMENT OF FIRE, RESCUE AND EMERGENCY MANAGEMENT (MARIA TAYLOR, 7/7/2009)

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

PIN	Project name	Ashburn VFRC Station 6 Travel Time
153-28-3815	Goose Creek Village North Clubhouse	3 minutes, 28 seconds

Travel times are determined using ESRI GIS network analyst along the county's street centerline with distance and speed limit being the criteria. Travel time is reported in minutes and seconds. For the approximate response time two minutes is added for turnout time.

	Ashburn VFRC Station 6
--	------------------------

Project name	Response Times
Goose Creek Village North Clubhouse	5 minutes, 28 seconds

Applicant Response: *Comment noted.*

LOUDOUN COUNTY HEALTH DEPARTMENT (MATTHEW TOLLEY, 6/12/2009)

The Health Department recommends approval of this application. The proposed development will utilize public water and sewer. There are no known well or septic facilities on the site. The plat reviewed was prepared by J2 Engineers and was dated 30 April 2009.

Attachments Yes ___ No X

Applicant Response: *Comment noted.*

LOUDOUN WATER (JULIE ATWELL, 6/26/2009)

Loudoun Water has reviewed the referenced Special Exception application and offers no objection to the proposed use. Public water and sanitary sewer service would be contingent upon the developer's compliance with the Authority's Statement of Policy; Rates, Rules and Regulations; and Design Standards; and with all requirements of the County of Loudoun. Detailed comments on the design of the public water and sanitary sewer facilities to serve this project will be addressed during Loudoun Water's review of the applicant's Utility Extension Request.

Applicant Response: *Comment noted.*

VIRGINIA DEPARTMENT OF TRANSPORTATION (RASHID SIRAJ, 7/6/2009)

We have reviewed the above application as requested and have no objection to the approval.

Applicant Response: *Comment noted.*

LOUDOUN COUNTY OFFICE OF TRANSPORTATION SERVICES (GEORGE PHILLIPS, 7/21/2009)

Transportation Comments

1. The proposed use will not generate any external traffic. The approved internal street network has already been designed to accommodate the anticipated traffic for the planned residential units. Therefore, no road improvements are recommended with this application.

Applicant Response: *Comment noted.*

2. The applicant proposes to provide a total of 44 parking spaces plus one loading space for this use. Does this meet Loudoun County Zoning Ordinance parking requirements? Please clarify. OTS defers to the Department of Building & Development staff for the determination of parking requirements.

Applicant Response: *Zoning staff raised no concerns with the proposed parking for the use.*

3. Is the clubhouse designed to accommodate access by an emergency vehicle? For example, would an ambulance be able to access the pool in the event of an emergency? Please clarify.

Applicant Response: *While the pool is a permitted use in the R-16 district, it does provide appropriate emergency vehicle access. Fire Rescue Emergency Services raise no concerns with the emergency access to the proposed clubhouse.*

Recommendation

Provided the applicant adequately clarifies the above information request, the Office of Transportation Services would not object to the approval of this application.

Applicant Response: *The applicant concurs with this recommendation and has addressed the information requested.*

Since no substantive issues or questions remain regarding the proposed special exception application, the applicant respectfully requests being scheduled for the September Planning Commission public hearing. Please let me know if you need additional information.

Sincerely,

WALSH, COLUCCI, LUBELEY, EMRICH &
WALSH, P.C.

Christine Gleckner, AICP
Land Use Planner

cc: Stephen Collins, Centex
Nick Leypoldt, J2 Engineers